

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Masato Yonezawa et al. Art Unit : 1763
Serial No. : 09/820,520 Examiner : Luz L. Alejandro
Filed : March 28, 2001 Confirmation No.: 5433
Title : PLASMA CVD DEVICE AND DISCHARGE ELECTRODE

Mail Stop Amendment

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REPLY TO ACTION OF MARCH 2, 2006

Claims 1-4, 6-14 and 20-34 are currently pending, with claims 1, 10, 22, and 30 being independent.

Claims 1-4, 6-14, 26 and 27 have been rejected as being unpatentable over the admitted prior art in view of Izu (U.S. Patent No. 4,410,558) or Sando (U.S. Patent No. 4,479,369), and claim 20-25 and 28-34 have been rejected as being unpatentable over admitted prior art in view of Izu or Sando, Komino (U.S. Patent No. 6,156,151) and Yamazaki (U.S. Patent No. 4,808,553).

Rejections based on the admitted prior art, Izu, Komino and Yamazaki

To the extent that the rejections are not based on the introduction of Sando, applicant requests reconsideration and withdrawal of the rejection for the reasons presented in the pre-appeal request for review. It is unclear why the rejections based on the admitted prior art and Izu, or the admitted prior art and Izu, Komino and Yamazaki are repeated in view of the statement in the action that the arguments presented in the pre-appeal request for review were persuasive. While the rejection indicates that a new ground of rejection is based upon a different interpretation of the reference, the only difference between the current rejection and the prior rejection appears to be that the current rejection points exclusively to Fig. 3 of the admitted prior art while the prior rejection pointed to both Fig. 2 and Fig. 3. Despite these cosmetic changes, the current rejection appears to be essentially the same as the prior rejection.